UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,718	09/10/1999	FARZAD NAZEM	324212009101	3195

20872 7590 05/15/2006		

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EXAMINER
NGUYEN, CINDY

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/393,718	NAZEM ET AL.
	Examiner	Art Unit	
	Cindy Nguyen	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2006</u> .

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>10--28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>10-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>10 September 1999</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>7</u> .	6) ☐ Other: .

DETAILED ACTION

This is in response to communication filed 02/27/06.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new

ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 10-4 and 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over

D'Arlach et al. (US 6026433) in view of Joyce et al. (US 5546455)(Joyce).

Regarding claim 10, D'Arlach discloses: In the page server coupled to a network, a

method of providing a customized page to a user, wherein the customized page is customized

according to the user's preferences (col. 2, lines 30-50, D'Arlach), the method comprising:

obtaining real-time information from information sources (as news in fig. 12 and

corresponding text, D'Arlach);

storing the real-time information in a storage device (202, fig. 2 and corresponding text,

D'Arlach);

storing a user specific template program for the user in a data structure associated with a

user identifier unique to the user (col. 5, lines 18-20 and col. 6, lines 44-63);

receiving, from the user and at the page server a user request for a customized page (col.

6, lines 61 to col. 7, lines 25),

determining a user identifier associated with the user request (col. 10, lines 40-50,

D'Arlach);

retrieving a stored template program specific to the user in the data structure using the

determined user identifier associated with the user request (col. 10, lines 40-50, D'Arlach);

providing the user with the customized page (6, lines 36-44, D'Arlach);

executing the template program specific to the user using the real-time information stored

in the shared local storage device to generate the customized page, wherein the template program

indicates items of interest to the user (col. 5, lines 46-65, D'Arlach).

However, D'Arlach is silence to disclose: storing the real-time information in a shared

local storage device. On the other hand, Joyce discloses: storing the real-time information in a

storage device (col. 5, lines 32-58). Thus, at the time invention was made, it would have

been obvious to a person of ordinary skill in the art to include a share local storage

device in the system of A as taught by B. The motivation being to enable the system

provides a share memory for storing the real-time information and accessible by

communicates with a database manager to change the need in database.

As per claim 11, the limitations of this claim have been noted in the rejection of claim 10.

Applicant's attention is directed to the rejection of claim 10 above. In addition, D'Arlach/Joyce

discloses further comprising prior to receiving the user request caching the template program in a

storage location local to the page server (col. 4, lines 1-51 and 202, fig. 2, D'Arlach).

Regarding claim 12, the limitations of this claim have been noted in the rejection of

claim 10. Applicant's attention is directed to the rejection of claim 10 above. In addition,

D'Arlach/Joyce discloses: further comprising receiving user preferences for the user, wherein the

user preferences indicate the items of interest to the user and combining the user preferences

with a generic template to form the template program specific to the user (see col. 6, lines 1-60,

D'Arlach).

Regarding claim 13, the limitations of this claim have been noted in the rejection of claim

12. Applicant's attention is directed to the rejection of claim 12 above. In addition,

D'Arlach/Joyce discloses: further comprising providing the template program specific to the user

to the page server (col. 6, lines 61 to col. 7, lines 3, D'Arlach).

Regarding claim 14, the limitations of this claim have been noted in the rejection of claim

12. Applicant's attention is directed to the rejection of claim 12 above. In addition,

D'Arlach/Joyce discloses: wherein the page server performs combining of the user preferences

with the generic template (col. 6, lines 44-60, D'Arlach).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of

claim 1. In addition, D'Arlach/Joyce discloses: obtaining user preferences for the plurality of users,

wherein a user's user preferences indicate items of interest to that user (fig. 6, col. 6, lines 1-20, D'Arlach); each of the plurality of users , combining the user preferences for a specific user and a template to form a template program specific to the user at the page server (col. 4, lines 59 -67, D'Arlach).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 1 above. In addition, D'Arlach/Joyce discloses: a second template program specific to the second user (col. 4, lines 59 -67, D'Arlach) using the real time information stored in the shared local storage device as input to the second template program to generate a second customized page for a second user (col. 4, lines 59 -67, D'Arlach).

Regarding claims 21-24, most the limitations of these claims have been noted in the rejection of claims 13-18, and 20 above respectively. It is therefore rejected as set forth above.

Claims 15-18 and 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Arlach et al. (US 6026433) in view of Gerace (U.S 5848396).

Regarding claims 15 and 25, D'Arlach/Joyce disclose all the limitations of these claims have been noted in the rejection of claims 10 and 20 above, respectively. However D'Arlach/Joyce didn't disclose: wherein the real-time information comprises stock quotes, sports scores and news headlines. On the other hand Gerace discloses: wherein the real-time information comprises stock quotes, sports scores and news headlines (see col. 6, lines 22-40, Gerace). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the steps wherein the real-time information comprises stock quotes, sports scores and news headlines in the system of D'Arlach as taught by Gerace. The

motivation being to enable the system display real time information includes stock information,

advertisements, sports statistics, weather reports and the like base on the user interest when

create the user specific template.

Regarding claims 16 and 26, all the limitations of these claims have been noted in the

rejection of claims 10 and 20 above, respectively, In addition, D'Arlach/Joyce /Gerace discloses:

further comprising generating a default user configuration for the user based on demographic

information of the user (see col. 6, lines 5-7, Gerace).

Regarding claims 17 and 27, all the limitations of these claims have been noted in the

rejection of claims 16 and 26 above, respectively, In addition, D'Arlach/Joyce /Gerace discloses:

wherein generating a default user configuration comprises: determining a default list of cities for

a weather report based on user demographic information (see col. 8, lines 52-57, Gerace); and

determining one or more sports teams for sports reporting based on user demographic

information (see col. 8, lines 15-25, Gerace).

Regarding claims 18 and 28, all the limitations of these claims have been noted in the

rejection of claims 16 and 26 above, respectively, In addition, D'Arlach/Joyce /Gerace discloses:

wherein determining a user identifier comprises: obtaining user postal code information (see col.

21, lines 41-43, Gerace); translating the postal code information to user geographic position (see

col. 21, lines 41-49, Gerace); comparing the user geographic position to geographic positions

assigned to each city (see col. 22, lines 10-12, Gerace); and sports team (see col. 21, lines 65 to

col. 22, lines 5, Gerace); and determining a threshold distance from the user geographic position

which is greater than or equal to a distance to a predetermined nonzero number of cities and a

predetermined nonzero number of sports team geographic positions "(see col. 31, lines 2-7,

Gerace).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

1.   Contact Information

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Cindy Nguyen whose telephone number is 571-272-4025. The examiner can

normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Jeffrey Gaffin can be reached on 571-272-4160. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen

May 7, 2006

FRANTZ COBY
PRIMARY EXAMINER